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**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

In re:

BINGTUAN YIN and
XIANGLING KONG,
Debtor.

Case No. 21-10653-KHK

Chapter 7

TRINA BENGTTSSON,
Plaintiff-Creditor

Adv. Proc. No. 21-01043-KHK

v.

BINGTUAN YIN and
XIANGLING KONG,
Defendant.

**REPLY IN SUPPORT OF TRINA BENGTTSSON'S
REQUEST FOR DETERMINATION OF DISCHARGE OF DEBT**

As her Reply, and in further support of her Complaint for Determination of Discharge Debt Pursuant to Section 523(a)(6) of the Bankruptcy Code, Plaintiff-Creditor Trina Bengtsson ("Plaintiff" or "Ms. Bengtsson"), by counsel, states as follows:

1. As their response to the request for a determination of non-dischargeability of debt filed by Plaintiff, the Debtors, *pro se*, submitted a letter to this Court [Adv. Proc. Doc No. 32]. The letter mostly asserts facts irrelevant to the legal determination of whether the Debtors caused willful and malicious injury to the Plaintiff. *See* Letter, ¶ 2, 3, 5.

2. The Debtors do assert an alternative reason for terminating Plaintiff's employment. *See* Letter, ¶ 1. As outlined in Plaintiffs' brief, and as supported by the various court documents attached thereto, the Debtors' various and shifting reasons for terminating Plaintiff's employment were rejected by the jury, the Superior Court of Washington for King County, and the Washington Court of Appeals. The Debtors' new, naked assertion does not defeat a finding that the Plaintiff has proved the Debtors caused her willful and malicious injury by a preponderance of the evidence.

3. Further, the Debtors incorrectly assert that the Plaintiff was awarded only \$50,000 and that "the majority of the judgment amount is attorney fees". *See* Letter, ¶ 4. The Jury initially awarded \$400,000 in emotional harm damages and \$66,430 in damages for past and future earnings. *See* Exhibit C to Complaint. The Plaintiff was later awarded attorney's fees, costs, interest and other supplemental amounts due to her under applicable law. The Plaintiffs' proofs of claim accurately detail the amounts of the claims. *See* Claims Reg. No. 1-1, 2-1. The Debtors seem to concede the claim (and its dischargeability) by offering to pay \$20,000 (a settlement offer made by Plaintiff in December 2020 went completely unanswered). *See* Letter, ¶ 4.

4. Plaintiff's arguments of fact and law with respect to the dischargeability of her claims have gone completely unanswered by the Debtors. Although the Debtors claim they cannot afford to pay counsel, they've managed to hire at least six or seven different attorneys to

litigate against Plaintiff in various courts. The Plaintiff's claims have been vindicated at each stage. The Debtors failure to secure replacement counsel at this stage should not be construed in their favor.

WHEREFORE, for the reasons outlined in her Brief and this Reply, the Plaintiff Trina Bengtsson respectfully requests entry of an Order:

- (a) On COUNT I: declaring all debt owed to her by the Debtors is not dischargeable by the Debtors pursuant to §523(a)(6) of the Bankruptcy Code; and
- (b) Granting other and further relief as is just and appropriate.

Dated: February 9, 2022

/s/ Andrea Campbell Davison
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CERTIFICATE OF SERVICE

I hereby certify that on this February 9, 2022, a true and correct copy of the foregoing Reply was served via the Court's CM/ECF service on all parties entitled to receive notice in the above-captioned adversary proceeding. Additionally, a true and correct copy has been served via U.S. mail on the Debtors at the address submitted to the Bankruptcy Court:

Bingtuan Yin
Xiangling Kong
4510 Chateau Road
Orlando, Florida 32808

/s/ Andrea Campbell Davison
Andrea Campbell Davison